U.S. COURT.

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Jim Spinner, Esquire SERVICE, SPINNER & GRAY 2043 East Center - P.O. Box 6009 Pocatello, Idaho 83205-6009 Telephone: (208) 232-4471 FAX: (208) 232-1808 Idaho State Bar No. 3417

Attorneys for R. Sam Hopkins, Trustee

IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF IDAHO

In the Matter of:		DEBBIE)) Case No. 04-41126
RICHARD CARPENTER CARPENTER,	and		NOTICE OF SALE BY TRUSTEE
Debtors.			<i>)</i>))

TO ALL PARTIES IN INTEREST:

YOU ARE HEREBY NOTIFIED that subject to the approval of the Court, R. Sam Hopkins, Trustee, will sell the following property of the above estate pursuant to 11 U.S.C. § 363 and L.R.B.P. § 2002.1, for the benefit of the creditors of the named bankruptcy estate, unless a written objection thereto is filed with the Court and a copy received by the attorneys for the Trustee at their address shown hereon on or before November 5, 2004.

1. <u>DESCRIPTION OF PROPERTY TO BE SOLD</u>: Balance on a real property agreement between the Debtors and Kari L. Jones (Debtors' daughter) regarding 2.2 acres of undeveloped land in Jerome County. No water rights are associated with the property and it has an assessed value of \$15,378.00. Real property agreement called for 10 annual payments of \$1,137.41 on an original purchase price of \$10,000.00, with \$1,000.00 paid down. Payments remaining on the agreement are 8 payments at 4.50% per annum interest. The property subject to the agreement is described as Tax 1 of NWNE, in Section 23, Jerome County, Idaho.

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- 2. <u>TIME AND PLACE AND TYPE OF SALE</u>: The Trustee's interest in the real property agreement will be sold to Kari L. Jones for the lump sum of \$5,258.71, receipt of which is acknowledged.
- 3. <u>TERMS OF SALE:</u> The property shall be sold for the sum of \$5,258.71. Sale is for the estate's interest in the agreement/property with the purchaser taking said property subject to all liens or claims.

The sale is conducted pursuant to 11 U.S.C. §363(f)(1). The sale is "AS IS - WHERE IS" without warranty of whatsoever nature.

The sale is contingent upon Court approval if an objection is filed.

4. <u>MISCELLANEOUS INFORMATION</u>: The Trustee knows of no lien or claim against said property. In the opinion of the Trustee, the sale is for the reasonable liquidation value of the property. Net proceeds from the sale will be distributed pursuant to 11 U.S.C. §726. For further information contact the Trustee, R. Sam Hopkins, P.O. Box 3014, Pocatello, ID 83206-3014; Phone (208) 478-7978 from 9:00 a.m. to 5:00 p.m., Monday-Friday.

DATED this 5 day of October, 2004

SERVICE, SPINNER & GRAY Attorneys for Trustee

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